

Inventors: Border and Ruoslahti
Serial No.: 08/349,479
Filed: December 2, 1994
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Please add the following new claim:

--35. (New) The method of claim 21, wherein the pathology or condition is cirrhosis of the liver.--

REMARKS

Claims 21 to 23 and 25 are presently pending. The invention, as defined by independent claim 21, is directed to a method of decreasing the deleterious accumulation of extracellular matrix (ECM) associated with a pathology or a condition characterized by the TGF- β -induced production and deleterious accumulation of extracellular matrix in a tissue by contacting the tissue with an anti-TGF- β antibody that binds to TGF- β ; whereby the binding of the anti-TGF- β antibody to the TGF- β suppresses the deleterious accumulation of the TGF- β -induced extracellular matrix in the tissue.

Dependent claims 22, 23 and 25 are directed to the method of claim 21 and further recite specific pathologies or conditions. In particular, claim 22 is directed to the method of claim 21, wherein the pathology or condition is glomerulonephritis. Claim 23 is directed to the method of claim 21, wherein the pathology or condition is selected from the group consisting of adult respiratory distress syndrome or cirrhosis of the liver, and claim 25 is directed to the method of claim 21, wherein the condition is scarring.

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Applicants filed a timely Notice of Appeal on March 15, 2001, and are filing concurrently with this Supplemental Response an Appeal Brief with the Board of Patent Appeals and Interferences. Applicants respectfully request separation of the species recited in claim 23, adult respiratory distress syndrome and cirrhosis of the liver, into two separate claims, amended claim 23 and new claim 35. In this regard, Applicants thank the Examiner for his courtesy and advice extended to Applicants' representatives on October 1, 2001, during the telephonic interview regarding separation of claim 23 into two claims. Entry of the amendments after final is proper because the amendments cancel claims, place the claims into condition for allowance or in better form for consideration on appeal, and do not raise new issues for consideration in accordance with 37 CFR 1.116 and MPEP 714.12 and 714.13. Therefore, entry of the amendments is respectfully requested. A marked-up copy of claim 23 showing the amendments is attached hereto as Appendix A.


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CONCLUSION

Applicants respectfully request entry of the above amendments. Should the Examiner have any questions, he is invited to call Cathryn Campbell or the undersigned attorney.

Respectfully submitted,

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Date


Astrid R. Spain
Registration No. 47,956
Telephone No. (858) 535-9001
Facsimile No. (858) 535-8949

CAMPBELL & FLORES LLP
4370 La Jolla Village Drive
7th Floor
San Diego, California 92122
USPTO CUSTOMER NO. 23601

Attachments: Appendix A - marked-up version of claim 23.

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APPENDIX A

23. The method of claim 21, wherein the pathology or condition is **[selected from the group consisting of]** adult respiratory distress syndrome **[or cirrhosis of the liver]**.